

**Q & A
Directors' Webinar
October 16, 2013**

Delivery of EC Services

- 1. Now that CECAS has been updated to include more locations of service for frequency, how do high schools on a 4X4 schedule accurately reflect location of EC services for inclusion when each semester they may not have a class which addresses the area of need?**

- A. First, CECAS was updated to include descriptions of specially designed instruction, not locations of services. The form should not limit the information that is provided about a student's services. The comments section can be used to document information about the student's services.

Second, the services reflected on the IEP must address the student's needs, not the school schedule. If a student needs reading instruction all year, those services must be provided regardless to which semester the student has English class.

- 2. What is "best practice" in making an IEP team decision for homebound services? Can a student be placed as both homebound and school-based for services?**

- A. IEP teams must utilize data to make decisions about the services that a student needs and where and how those services will be provided. There is nothing in the regulations that prohibits a student receiving services in both homebound and school-based locations. However, the IEP team must utilize data for making those decisions. Having both home and a school location of services could be something that an IEP Team would consider as a transitional situation (a student who has been homebound but is returning to school gradually or the student is experiencing difficulties and receiving service as home would relieve some of his/her stress). This shouldn't be a long-term situation. The IEP Team must be able to support the decisions that it makes. Remember that for students who are placed on homebound for disciplinary removals, the appropriateness of the homebound instruction must be reviewed monthly by the designee or designees of the student's IEP Team.

For reporting purposes, only one LRE can be reported on the December and April child counts. The LRE is based on the time that the student is with nondisabled peers.

OCS

- 3. Has the cross-walk for OCS American History I & II been released? If so, where can this document be found?**

- A. The standards for the SS I & II were specifically designed to promote citizenship and self-advocacy skills. The standards for the American History I & II courses were designed to allow students to examine the historical and intellectual origins of the United States.
There is not a cross-walk for these two courses because the standards address different skill sets.

It is important to note that:

On June 23, 2011, the North Carolina General Assembly passed The Founding Principles Act (SL 2011-273). This act calls for local boards of education to require, as a condition of high school graduation, students to pass a course, American History I – The Founding Principles. As a result, the State Board of

Education approved a name change of the United States History I course to American History I: The Founding Principles on October 6, 2011 and the United States II course to American History II

4. What is the name of the alternative assessment for OCS students?

- A. Please see the email from the ecdivision@lists.dpi.state.nc.us, dated 10/11/2013, which includes information on the ACT alternate assessment, guidelines and parent information.

PEPs/IEPs

5. We have heard, through Read to Achieve training, that an IEP can serve as the PEP for students not achieving at grade level. Will you please clarify?

- A. EC leadership has been working with Curriculum & Instruction at NC DPI to create a guidance document. This should be forthcoming in the next week or so.

6. Are teachers required to keep minutes at IEP Team meetings?

- A. Neither State Policies nor federal regulations require IEP Teams to keep meeting minutes. Many LEAs have local policies or procedures that require meeting minutes. It is prudent to have a mechanism for written documentation of meetings. However, the recorder should objectively note the facts of the meeting and avoid subjective commentary. IEP Team meeting minutes become a part of the student's records.

Dual Enrollment

7. Which districts have agreements to allow dual enrollment between private programs and the LEA (such as a private program to address SLD and the student's regular public school)?

- A. If your LEA has such an agreement established and in place, please contact Sherry Thomas (sherry.thomas@dpi.nc.gov) so she can connect you with the LEA requesting this information.

Definition of Parent for IEP Team Meetings (Scenarios)

Please review NC 1500-2.24 (Parent) and NC 1504-1.20 (Surrogate parents)

8. A child comes to live with an older sister while the father remains in another state. Father has signed a temporary guardianship agreement for the older sister to be the guardian. The guardianship agreement has been notarized in the father's home state. Can the sister be used as the legal guardian (parent) or does there need to be contact with the father, through a phone conference?

- A. Since the student is living with his sister and the father is out of state, the sister meets definition #4 of parent. (An individual acting in the place of a biological or adoptive parent, including a grandparent; stepparent; or other **relative** with whom the child lives, or an individual who is legally responsible for the child's welfare.)

9. A child comes out of a PRTF and is living in a foster care situation; parental rights are still in place. (a) Should the parent be contacted/included in IEP meetings or should the foster parent serve as the

parent? (b) What if DSS is hesitant to release information concerning the location or contact information of the parent?

- A. (a) The LEA should review the court order to determine whether the biological or adoptive parent's right to make educational decisions for his/her child has been terminated or the judge has appointed a specific person or persons to act as the "parent" of a child or to make educational decisions on behalf of a child. If a judicial order identifies a person who meets the definition of parent in Section 300.30(a)(1) through (4) of the regulations, then that person or persons shall be determined to be the "parent." If the biological or adoptive parent's rights have not been terminated, the LEA should attempt to locate and invite the biological or adoptive parent to participate in IEP Team meetings.
- (b) If DSS will not release the location of the biological parent, a foster parent, but not a therapeutic foster parent, meets definition #2 of "parent," and may serve as the parent. If the biological or adoptive parent and the foster parent both attend the IEP Team meeting, the biological or adoptive parent must be presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational decisions on behalf of the child or a judicial order identifies a specific person or persons to serve as the parent. (See the response to Question 11.)

10. A child lives with a parent and grandparent. The parent works and is unable to leave work to attend IEP meetings, and instead, sends the grandparent. Can the grandparent sign the consent for testing, placement, etc. as the parent?

- A. Since the child lives with the parent and grandparent and the grandparent meets definition 4 of "parent," the grandparent may sign consent as the parent. However, if the biological or adoptive parent attends the meeting, the biological parent must be presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational decisions on behalf of the child. However, an ideal situation would be for the grandparent to take the paperwork home for the biological parent to sign.

11. A child is in a therapeutic foster home and has not been involved with the parent for years but parental rights have not been terminated. Through DSS, information concerning the location of the parent can be secured, but DSS is very hesitant for any contact between the student and the parent to occur. Do we pursue the parent or appoint a surrogate?

- A. The child is a ward of the state. If DSS is hesitant for there to be any contact between the student and the parent, the LEA should request a copy of the judicial order removing the student from the home to determine the parent's rights. Although the parent can participate in an IEP Team meeting by telephone, the LEA's first responsibility is to ensure that the rights of the student are protected. If involving the parent could jeopardize the child's safety or best interests, the LEA may want to appoint a surrogate.

Powerschool/CECAS

12. Am I correct that Phase one of the synch is the Powerschool information to CECAS and Phase two is CECAS talking to Powerschool. When is the projected date for both phases to be completed?

- A. That is correct for an overall of Phase I and II. Estimated completion date for Phase I is November 1. Phase II completion is Mid November

13. What notification will we receive when our Powerschool/CECAS sync is complete?

A. Daily update on sync status is posted on CECAS Communication web site under the Reference label.
<http://www.nccecas.org/downloads/downloads.html>

14. With the services types (ex reading) being listed in CECAS, do you anticipate that the information for roster verification will eventually be extracted from CECAS?

A. CECAS is not the authorized source for roster verification.

15. If a student's initial referral process was not completed within the 90-Day timeline, why is the dot beside their name in CECAS green and not red?

A. Unsure based on the information given. Please call CECAS Help Desk, 919 807 3257 option 3

16. Where on CECAS site do we look to see if our LEA is linked(synced)? Are charter schools included on list?

A. Daily update on sync status is posted on CECAS Communication web site under the Reference label.
<http://www.nccecas.org/downloads/downloads.html>

Course Codes for OCS

17. Should there be a 0 behind CTE financial planning course that will be used as a substitution for OCS financial management? We think a 0 means they will not take the complete CTE end-of-course test?

A. Research was done with the CTE Division on this question. This is complicated because the 0 will mean that students will not take the final exam and there is no alternate. Districts should not automatically put a 0 on every course a student in the OCS is taking, if the blueprint is modified and students are taking a teacher-made test (final exam). Many students will be able to take the standard course and subsequently, the general exam for the CTE course.